

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	
	<b>:</b>	
<b>v.</b>	<b>:</b>	<b>CRIMINAL NO. 16-45-1</b>
	<b>:</b>	
<b>CARLOS GONZALEZ</b>	<b>:</b>	

**GOVERNMENT’S MOTION FOR FORFEITURE MONEY JUDGMENT**

The United States of America, by and through its attorneys, Louis D. Lappen, Acting United States Attorney for the Eastern District of Pennsylvania, and Tiwana L. Wright, Assistant United States Attorney, respectfully requests entry of a forfeiture money judgment, and in support of this motion, the United States represents as follows:

1. On February 9, 2016,<sup>1</sup> the defendant was charged by Indictment with conspiracy to defraud the United States with respect to claims, in violation of 18 U.S.C. § 286 (Count One); theft of public money, in violation of 18 U.S.C. §§ 641 and 2 (Counts Two, Four through Ten, and Eighteen through Twenty-Three); and aggravated identity theft, in violation of 18 U.S.C. §§ 1028A(a)(1), (c)(1), and 2 (Counts Three, Eleven through Seventeen, and Twenty-Four through Twenty-Nine). The Notice of Forfeiture in the Indictment alleged that the defendant’s interest in certain property was forfeitable as a result of Counts Two, Four through Ten, and Eighteen through Twenty-Three of the Indictment.

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<sup>1</sup> A motion to amend the Indictment to correct a typographical error or clerical mistake was filed on March 27, 2017.

2. On April 10, 2017, the defendant pled guilty to Counts One, Ten, Seventeen, Twenty-Two, and Twenty-Eight of the Indictment.

3. As a result of the defendant's guilty plea, he is required, and has agreed, pursuant to 18 U.S.C. § 981(a)(1)(C) to forfeit to the United States any property constituting, or derived from, proceeds he obtained directly or indirectly, as a result of the commission of theft of public money.

4. Based on the facts set forth at the plea hearing, which formed the factual basis for the plea, as well as those set forth in the Government's Plea Memorandum, the sum of \$2,010,617.00 in U.S. currency is subject to forfeiture as a result of the defendant's guilt as to the acts alleged in Counts Ten and Twenty-Two of the Indictment. This sum represents any property constituting, or derived from, proceeds he obtained directly or indirectly, as a result of the commission of theft of public money. See United States v. Vampire Nation, 451 F.3d 189, 201-202 (3d Cir. 2006) (an *in personam* forfeiture money judgment may be entered against the defendant for the full amount of criminal proceeds).

5. The government, therefore, requests that a forfeiture money judgment in the amount of \$2,010,617.00 in United States currency be entered against this defendant.

6. The government requests authority to conduct discovery in accordance with Fed. R. Crim. P. 32.2(b)(3) to identify assets to satisfy the forfeiture money judgment. Because the government seeks only a money judgment and does not seek forfeiture of any specific asset at this time, advertisement of the judgment and third-party proceedings are not required. Fed. R. Crim. P. 32.2(c)(1) (no ancillary proceedings to address third-party claims required where forfeiture consists of money judgment).

For these reasons, the government requests that this Court enter the attached Forfeiture Money Judgment.

Respectfully submitted,

LOUIS D. LAPPEN  
Acting United States Attorney

SARAH L. GRIEB  
Chief, Asset Recovery and  
Victim/Witness Unit  
Assistant United States Attorney

/s/ *Tiwana Wright*

TIWANA L. WRIGHT  
JENNIFER B. JORDAN  
Assistant United States Attorneys

Dated: July 7, 2017

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	
	:	
v.	:	<b>CRIMINAL NO. 16-45-1</b>
	:	
<b>CARLOS GONZALEZ</b>	:	

**FORFEITURE MONEY JUDGMENT**

IT IS HEREBY ORDERED THAT:

1. As a result of the defendant's guilt as to Counts Ten and Twenty-Two of the Indictment, the defendant is required, and has agreed, pursuant to 18 U.S.C. § 981(a)(1)(C) to forfeit to the United States any property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of the commission of theft of public money.

2. The Court has determined, based on the facts set forth at the plea hearing, which formed the factual basis for the plea, as well as those set forth in the Government's Plea Memorandum, that the sum of **\$2,010,617.00** in U.S. currency is subject to forfeiture as a result of the defendant's guilt as to the acts alleged in Counts Ten and Twenty-Two of the Indictment. This sum represents any property constituting, or derived from, proceeds the person obtained directly or indirectly, as a result of the commission of theft of public money.

3. A personal forfeiture money judgment in the amount of **\$2,010,617.00** is hereby entered against the defendant in favor of the United States.

4. Any property subsequently recovered from the defendant and forfeited by the government shall reduce the defendant's outstanding liability on the personal forfeiture money judgment.

5. Upon the entry of this Order, the United States is authorized to conduct any discovery necessary to identify and locate property subject to forfeiture, in accordance with Fed. R. Crim. P. 32.2(b)(3).

6. Because the government seeks only a money judgment and does not seek forfeiture of any specific asset at this time, advertisement of the judgment and third-party proceedings are not required. Fed. R. Crim. P. 32.2(c)(1) (no ancillary proceedings to address third-party claims required where forfeiture consists of money judgment).

7. Pursuant to Fed. R. Crim. P. 32.2(b)(4), this Forfeiture Money Judgment shall become final as to the defendant at the time of sentencing and shall be made part of the defendant's sentence and included in the judgment and commitment order.

8. The Court shall retain jurisdiction to enforce this Forfeiture Money Judgment, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

9. The Clerk of the United States District Court for the Eastern District of Pennsylvania shall deliver a copy of this Forfeiture Money Judgment to the United States Postal Service, the United States Marshal Service, and to counsel for the parties.

ORDERED this \_\_\_\_ day of \_\_\_\_\_ 2017.

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**HONORABLE HARVEY BARTLE, III**  
**United States District Judge**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Government's Motion for Forfeiture Money Judgement was filed via ECF and thus served upon:

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*Counsel for Carlos Gonzalez*

/s Tiwana Wright  
TIWANA L. WRIGHT  
JENNIFER B. JORDAN  
Assistant United States Attorneys

Dated: July 7, 2017